

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
)
Plaintiff,) **8:04CR71**
)
vs.) **ORDER**
)
ROBERT TIMOTHY DAVIS,)
)
Defendant.)

This matter is before the court on the motion of the defendant Robert Timothy Davis (Davis) for a continuance of the preliminary examination in this matter (Filing No. 77). After, Davis's initial appearance on this supervised release violation and his request for a preliminary hearing, Davis was released on conditions on March 7, 2008, (Filing No. 75). Accordingly, Davis is no longer entitled to a preliminary hearing. **See Fed.R.Crim.P. 32.1(b)(1).** Davis's motion to continue the preliminary examination will be denied and the matter set for a dispositional hearing before Chief Judge Bataillon.

IT IS ORDERED:

1. Davis's motion to continue the preliminary examination (Filing No. 77) is denied.
2. A final dispositional hearing will be held before Chief Judge Joseph F. Bataillon in Courtroom No. 3, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 2:00 p.m. on June 6, 2008.** Defendant must be present in person.

DATED this 7th day of April, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge